

**State of California  
AIR RESOURCES BOARD**

**EXECUTIVE ORDER G-10-088**

**Relating to Certification of Portable Fuel Containers, Spouts or Portable  
Fuel Containers and Spouts**

**Scepter Corporation**

**Petroleum Product Portable Fuel Containers (PFCs) 6.6-gallons,  
5.3-gallons, 5.0-gallons, 2.5-gallons, and 1.25-gallons for gasoline;  
5.0-gallons, for diesel and kerosene, and 5.3 gallons for diesel, all with  
model number LV-06 ECO Spouts**

WHEREAS, the California Air Resources Board (ARB) has established, pursuant to California Health and Safety Code (H&SC) sections 39600, 39601, 43013, 43018, and 43101, criteria for obtaining certification of a portable fuel container, spout, or a portable fuel container and spout in "CP-501, Certification Procedure for Portable Fuel Containers and Spill-Proof Spouts," adopted July 26, 2006, incorporated by reference into California Code of Regulations (CCR), title 13, sections 2467.2 and 2467.8;

WHEREAS, "CP-501, Certification Procedure for Portable Fuel Containers and Spill-Proof Spouts," adopted July 26, 2006, (hereinafter "Certification Procedure") incorporated by reference into CCR, title 13, sections 2467.2 and 2467.8, requires that an application for certification include the results for each test specified in ARB's Test Procedure TP-501, Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems (July 26, 2006), and ARB Test Procedure TP-502, Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers (July 26, 2006);

WHEREAS, section 1, of the Certification Procedure provides that an EO will only be issued for a portable fuel container, spout, or both portable fuel container, and spout that demonstrates compliance with all applicable certification requirements;

WHEREAS, section 3, of the Certification Procedure requires an applicant to submit specified information in its application for certification;

WHEREAS, section 5, of the Certification Procedure provides that ARB Executive Officer shall evaluate each application for certification of a spill-proof system or spill-proof spout, to determine if the spill-proof system or spill-proof spout complies with the criteria for issuance of an EO;

WHEREAS, Scepter Corporation has submitted an application for certification of the following products to be sold under the brand name Scepter ECO:

Petroleum Product Portable Fuel Containers:

6.6-gallons capacity gasoline container (Model Number 08631),  
5.3-gallons capacity gasoline container (Model Number 05086),  
5.3-gallons capacity gasoline container (Model Number 07657),  
5.0-gallons capacity gasoline container (Model Number 05096),  
2.5-gallons capacity gasoline container (Model Number 07378),  
1.25-gallons capacity gasoline container (Model Number 07450),  
5.3-gallons capacity diesel fuel container (Model Number 05090),  
5.0-gallons capacity diesel fuel container (Model Number 05898), and  
5.0-gallons capacity kerosene container (Model Number 05092),  
each with FLO N GO model Spouts: (hereinafter referred to as  
“Portable Fuel Container system” or “PFC”);

WHEREAS, Scepter Corporation has submitted data generated from each test specified in ARB Test Procedure TP-501, Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems (July 26, 2006) and ARB Test Procedure TP-502, Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers (July 26, 2006) that demonstrates its PFCs comply with the criteria specified in section 2, of the Certification Procedure;

WHEREAS, Scepter Corporation has submitted information demonstrating that its PFCs comply with the requirements of American Society for Testing and Materials Standards (ASTM) F-852-99 (March 10, 1999) and ASTM F-976-02 (May 10, 2002);

WHEREAS, Scepter Corporation has submitted a copy of the warranty language and operating instructions specified in section 2 of the Certification Procedure;

WHEREAS, Scepter Corporation is not participating in the Optional Consumer Acceptance Program for its PFCs;

WHEREAS, Scepter Corporation has submitted all of the information specified in section 3 of the Certification Procedure in its application for certification of its PFCs; and

WHEREAS, Scepter Corporation’s application for certification of its PFCs has been evaluated, and its PFCs have been found to comply with the criteria for the issuance of an EO.

NOW THEREFORE, pursuant to the authority vested in ARB by H&SC sections 39600, 39601, 43013, 43018, and 43101 pursuant to the authority vested in the undersigned by H&SC sections 39515 and 39516, and EO P-07-002.

IT IS ORDERED AND RESOLVED that the PFCs produced by Scepter Corporation as described in its application for certification of said systems are hereby certified to meet the performance standards and administrative requirements applicable to portable fuel containers. Production systems shall be in all material respects the same as those for which certification is granted and shall meet all the certification requirements except for the optional consumer acceptance program.

IT IS FURTHER ORDERED that Scepter Corporation must comply with the administrative requirements specified in CCR, title 13, section 2467.5.

IT IS FURTHER ORDERED that any alteration of the components or design of the PFCs certified hereby is prohibited and is inconsistent with this certification, unless said alteration has been approved by the Executive Officer or his designee.

IT IS FURTHER ORDERED that Scepter Corporation must supply a copy of the warranty language submitted in its application for certification for its PFCs in the packaging of each certified PFC at the time of sale.

IT IS FURTHER ORDERED that Scepter Corporation must supply a copy of the operating instructions for each PFC as submitted in its application for certification in the packaging of each certified PFC at the time of sale.

IT IS FURTHER ORDERED that Scepter Corporation must supply any changes to the warranty language or the operating instructions to the Executive Officer for review and approval at least 30 days prior to implementation.

IT IS FURTHER ORDERED that the Executive Officer may enjoin sales, assess penalties, revoke, or modify this certification as provided in CCR section 2467.9, if the Executive Officer determines that the product available for sales in California does not meet the "Certification and Compliance Test Procedures" as provided in CCR section 2467.9.

Executed at Sacramento, California this 24<sup>th</sup> day of March 2011.

/S/  
Alberto Ayala, PhD., M.S.E.  
Chief, Monitoring and Laboratory Division